

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

DASSO INTERNATIONAL, INC. and
EASOON USA, LLC,

Plaintiffs/Counterclaim Defendants,

V.

MOSO NORTH AMERICA, INC. and
MOSO INTERNATIONAL BV,

Defendants/Counterclaim Plaintiffs.

EASOON USA, LLC,

Plaintiff,

V.

BRETT KELLY, MARK CLIFTON,
and DAVID OSTERMAN, a/k/a
STEVE OSTERMAN,

Defendants.

C.A. No. 1:17-cv-01574-MFK

JURY TRIAL DEMANDED

C.A. No. 1:19-cv-00564-MFK

JURY TRIAL DEMANDED

JOINT STATUS REPORT

Pursuant to the Court's Order set forth in its Memorandum Opinion dated August 21, 2023 (D.I. 473), the parties have met and conferred regarding the terms of a permanent injunction and the award of supplemental damages, enhanced damages, and pre-judgment interest. Each issue is addressed in turn.

A. Permanent Injunction

The parties are in agreement that the judgment should be amended to include the following two paragraphs setting forth a permanent injunction:

1. MOSO North America, Inc., and MOSO International BV (collectively “MOSO”) and each of its officers, agents, servants, employees, attorneys, and any other persons who are in active concert or participation with them, are hereby enjoined from infringing any of claims 1, 2, 4-7, 8, 9, 10, 13 and 15 of United States Patent 8,709,578 (the “’578 patent”) including by making, using, offering for sale, selling or importing the adjudicated products and any products not more than colorably different from the adjudicated products, in the United States and its territories until the expiration of the ’578 patent, including any USPTO extensions; and
2. This Court retains jurisdiction to enforce the judgment and permanent injunction pertaining to this action.

B. Damages Award

The parties agree that the damages award for the patent infringement claim should be as follows:

Base award with supplemental damages = \$1,531,198

Enhancement = \$765,599

Pre-judgment interest = \$196,377

The total patent damages award is \$2,493,174.

The parties agree, subject to approval by the Court, that paragraph 3 of the Judgment Following Jury Verdict (D.I. 440) should be amended as follows:

3 a. Damages, including supplemental damages and pre-judgment interest, are awarded in favor of plaintiffs Dasso International, Inc. and Easoon USA, LLC on the second amended complaint in Case No. 17-cv-1574 and the complaint in Case No. 19-cv-564 against defendants MOSO North America Inc.; MOSO International BV; Brett Kelly; Mark Clifton; and David Osterman jointly and severally in the amount of \$1,727,575.

b. Enhanced damages under 35 U.S.C. § 284 are awarded in favor of plaintiffs Dasso International, Inc. and Easoon USA, LLC and against defendants MOSO North America Inc. and MOSO International BV in the amount of \$765,599.

c. MOSO North America, Inc. and MOSO International BV are jointly and severally liable for the amounts in sections a and b above.

Respectfully submitted,

O'KELLY & O'ROURKE, LLC

Dated: August 28, 2023

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